

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Ned Hoffman Conf. No.: 4850
Serial No. 09/639,948 Examiner: Christina E. Zelaskiewicz
Filed: August 17, 2000 Group Art Unit: 3621
For: SYSTEM AND METHOD FOR TOKENLESS BIOMETRIC
AUTHORIZATION OF ELECTRONIC COMMUNICATIONS

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Commissioner for Patents
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TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION

The owner, YT Acquisition Corporation, having a place of business at 1625 South Congress Avenue, Delray Beach, Florida 33445, assignee of the entire right, title and interest of the above described U.S. Patent Application no. 09/639,948, filed August 17, 2000 for SYSTEM AND METHOD FOR TOKENLESS BIOMETRIC AUTHORIZATION OF ELECTRONIC COMMUNICATIONS, by virtue of the assignment from the inventor Ned Hoffman to Veristar Corporation, recorded in Reel/Frame 012902/0505 on May 17, 2002, by subsequent assignment from Veristar Corporaiton to Indivos Corporation, recorded in Reel/Frame 012902/0515 on May 17, 2002, and subsequent merger of Indivos Corporation; Indivos Acquisition Corp. and Solidus Networks, Inc. into Indivos Corporation, recorded in Reel/Frame 013862/0618 on August 11, 2003, and by virtue of the Asset Sale and Purchase Agreement dated March 28, 2008, from Solidus Networks, Inc., d/b/a/ Pay By Touch; Pay By Touch Checking Resources, Inc.; Indivos Corporation; Checkelect, Inc.; ATMD Acquisition Corp. and Seven Acquisition Sub., LLC. to YT ACQUISITION CORPORATION; said Agreement recorded in Reel/Frame 021502/0001 on September 9, 2008, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior Patent Application No. 11/321,114 as to claims 1-16, and

prior Patent No. 6,012,039 as to claims 1-20, as the term of said prior patents are defined in 35 U.S.C. 154 and 173, and as the term of said prior patents are presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patents, "as the term of said prior patents are presently shortened by any terminal disclaimer," in the event that said prior patents later expire for failure to pay a maintenance fee; are held unenforceable; are found invalid by a court of competent jurisdiction; are statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; have all claims canceled by a reexamination certificate; are reissued; or are in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

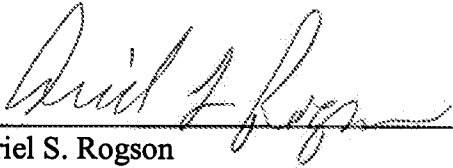
The undersigned is an attorney of record for the instant application.

Attached is the fee prescribed under 37 CFR 1.20(d).

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-1703.

Respectfully submitted,

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